

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

DENNIS R. SPURGEON	*	CIVIL ACTION NO. 6:11-CV-01807
	*	
VERSUS	*	JUDGE TERRY A. DOUGHTY
	*	
SWIFT GROUP, L.L.C.	*	MAG. JUDGE PATRICK J. HANNA
AND CALVIN J. LELEUX	*	
	*	

PROPOSED VERDICT FORM

Pursuant to the Order of Court, plaintiff, Dennis R. Spurgeon, proposes the following
Verdict Form:

Breach of Contract

1.

Did Swift Group, LLC, Swiftships Shipbuilders, LLC and Calvin Leleux breach the
Settlement Agreement with Spurgeon, dated May 2011?

YES _____ NO _____

2.

Did Swift Group, LLC Swiftships Shipbuilders, LLC and Calvin Leleux breach the
Release and Indemnity Agreement (regarding the BLX debt) with Spurgeon dated December 1,
2010?

YES _____ NO _____

Alter Ego of Successor Company

3.

Did Swiftships, LLC purchase the assets of Swift Group LLC and/or its subsidiary Swiftships Shipbuilders, LLC?

YES _____

NO _____

4.

Did Swiftships, LLC operate as a continuation of Swift Group LLC and/or its subsidiary Swiftships Shipbuilders, LLC?

YES _____

NO _____

OR

5.

Did Swiftships, LLC enter into the transaction to escape Swift Group, LLC's and/or Swiftships Shipbuilders, LLC's liabilities?

YES _____

NO _____

Alter Ego of Related Companies

6.

Was ICS Nett an affiliated company with Swift Group, LLC or Swiftships, LLC?

YES _____

NO _____

7.

Was ICS Nett used as an alter ego or single business entity with Swift Group, LLC or Swiftships, LLC in connection with the purchase of the BLX debt?

YES _____

NO _____

Fraud and Louisiana Unfair Trade Practices

8.

Did any defendant, including Calvin Leleux, Jeffrey Leleux, Shehrazee Shah and/or Khurram Shah, engage in fraud against Dennis Spurgeon in connection with the asset purchase agreements or the purchase of the BLX debt?

YES _____

NO _____

9.

Did any of the defendants' actions in connection with the asset purchase agreements or the purchase of the BLX debt violate the Louisiana Unfair Trade Practices Act?

YES _____

NO _____

Damages

10.

What damages are due and owing to Dennis Spurgeon?

\$ _____

11.

Is Dennis Spurgeon entitled to attorney fees? If so, in what amount?

\$ _____

Respectfully submitted,

/s/ Joseph R. Ward, Jr.
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CERTIFICATE OF SERVICE

I do hereby certify that on October 26, 2018, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to all those who are on the list to receive electronic mail notices for this case.

/s/ Joseph R. Ward, Jr. _____
JOSEPH R. WARD, JR.